A REVIEW

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THE SACRAMENTS.

BY

C. W. ANDREWS, D.D.

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OFFICE OF THE LEIGHTON PUBLICATIONS,
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OF

RECENT JUDICIAL DECISIONS IN ENGLAND

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THE SACRAMENTS.

- 1. SIX PRIVY COUNCIL JUDGMENTS. Edited by W. G. BROOKE, M. A., Barrister at law. London, 1872.
- 2. The Argument, delivered before the Judicial Committee of the Privy Council, by Archibald John Stephens, one of Her Majesty's Counsel in the case of *Sheppard* vs. *Bennett*. London: Rivingtons, 1872.

In certain cases ecclesiastical suits in England can be instituted in the Court of Queen's Bench, from which, on appeal, they may be taken to the House of Lords. Ordinarily such suits are instituted in the Court of Arches, (so called from the Church of St. Mary le Bow—de Arcubus—whose tower rested on stone arches, where the court was anciently held.) From this court there lies an appeal to the Judicial Committee of the Privy Council. According to the theory of the English government, ultimate judicial decisions appertain to the prerogative of the Crown.

The mode of reaching them now is through a committee of judges, who must be members of the Privy Council. From this body, now consisting of some thirty persons, a selec-

tion of from four to any greater number is made to constitute the court for a particular case. The largest number thus far selected (in the Bennett case) was ten. The selection is made by the crown, that is to say, by the Prime Minister, who, except in the last instance, we believe, has never been accused of packing the court for a party purpose.

It is obvious, however, that in England, as in this country, the judiciary must ultimately reflect the opinions of the executive which appoints it; so that, if the executive policy changes and continues for any considerable time, the judiciary can afford no security against changes, even revolutionary changes, only they are not likely to be sudden.

The province of these courts, either original or appellate, is not at all that of a synod or council, to decide what is right or wrong in theology; they are simply courts of construction, to determine in accordance with established rules for ascertaining the sense of written instruments, whether the matter charged as contrary to the standards of the Church, be so or not.

These recent judgments, though of no legal force in the United States, are yet of such moral authority as to constitute an era second to none other in importance since the Reformation, in the history of the Episcopal Church.

The questions fundamental to the Protestant religion raised at Oxford some forty years ago, have now been adjudicated in the highest court in the Church of England.

The records of these judgments are voluminous, and accessible to few in comparison with the numbers whose interest it is to know them; hence the following summaries and notes:—

I. Gorham vs. Bishop of Exeter. It is reported (we know not with what truth) that there was a concerted plan to exclude all from the ministry of the Church who did not hold the invariable connection of regeneration with baptism. If, then, these prosecutions can be called persecution—which we never alleged or believed—it was begun by the

leading representative of the high-church party in 1847. In that year Mr. Gorham applied to the Bishop of Exeter for institution, and was refused for supposed unsoundness upon the point in question, after a minute and inquisitorial examination upon 149 questions, to which written answers were demanded, said examination being continued at intervals from Dec. 17, 1847 to March 11, 1848.

Except in the famous eighty-seven questions of Bishop Marsh, which were immortalized by Sidney Smith in the Edinburgh Review for 1822, there has been no similar example of wrong attempted by those in authority against the Church's true representatives. We marvel that the Quixotic, but, we believe, honest-minded Bishop, with the result of these eighty-seven before his eyes, should have adventured upon a hundred and forty-nine.

Mr. Gorham appealed from the Bishop to the Arches Court. The Judge (Sir H. J. Fust) decided for the Bishop. The respondent appealed to the Judical Committee, consisting in that case of nine judges, including the two Archbishops and Bishop of London. Here the judgment of the Arches Court was reversed by a nearly unanimous decision, the two Archbishops concurring, and Mr. Gorham ordered to be inducted.

The points ruled in this judgment were as follows:-

- 1. "Devotional exercises and services cannot be evidences of faith or of doctrine without reference to the distinct declaration of doctrine in the Articles.
- 2. "It is not contrary or repugnant to the declared doctrine of the Church of England to hold that the grace of regeneration does not so necessarily accompany the act of baptism that regeneration invariably takes place in baptism; that the grace may be granted before, in, or after baptism; that baptism is an effectual sign of grace by which God works invisibly in us, but only in such as worthily receive it; that in them alone it has a wholesome effect; and that, without reference to the qualification of the recipient,

it is not in itself an effectual sign of grace; and that in no case is regeneration in baptism unconditional."

It will be observed of this judgment that, while the court was not called upon to affirm anything respecting the notion of baptism supposed to be entertained by high churchmen, whatever it may be, the position taken by the evangelical party was fully sustained and justified as being in accordance with, or not repugnant to, the doctrine of the Church of England. It seems, therefore, to follow that, unless the Church has two doctrines about it, those who hold to the invariable connection of regeneration, or what is commonly understood by "baptismal regeneration," must hold it as private opinion.

It does not appear that either party to this suit understood the word regeneration in any other than the moral sense.

Mr. Maskell, Chaplain to the Bishop of Exeter, a man whose candor and integrity was never called in question by any party, said, respecting this trial, that before it took place he did not believe it possible for Mr. Gorham or his party to produce one argument for his notions to which a court would pay the least attention. This he said he had always been told, and his reading had all run in that line. But as the trial advanced he said it was impossible not to see that what he had been taught was not only one-sided, but quite contrary to the real teaching of the Church of England, and that the evangelical party was, on this doctrine, its true representative.*

II. In the second judgment (Westerton vs. Liddell, 1857,) it was ruled that an "altar" is unlawful—not only those massive stone structures modeled after the tombs of the

^{*} Vide "Want of Dogmatic Teaching in the English Church. A Second Letter on the position of the High-church Party in the Church of England." By Rev. W. Maskell. "Christian Observer," vol 50, pp 476-488. In fact, the position of the Evangelical party throughout, as toward their High-church opponents, is sustained by Mr. Maskell as being that of the Reformers and of the Prayer Book.

martyrs, like that which Mr. Liddell and some in this country have set up, symbolizing a sacrifice, but any solid or other structure, save only a movable wooden table. The reasons are given at length by the court. The "altar" is the symbol of the central doctrine of the Romish Church—the idolatry of the mass. The table is the like symbol of the Protestant doctrine of the Lord's Supper. This the Ritualists know perfectly well, and that "altar"—name as well as thing—was repudiated and cast out by the Church of which they profess to be members. The word can nowhere be found in the English Prayer Book, and those who substitute it for the Prayer Book word could make no defense when charged with it by Dean Howson in the late Church Congress.

For the same reason the word "altar" was excluded from the American Prayer Book, being nowhere found in it, except in the Institution Office, which is of recent date, and, as has been shown again and again, is no legitimate part of the Prayer Book. There is, therefore, just ground for jealousy about the use of this word "altar," now so invariably foisted in by the Ritualists and those inclining toward them—as also the word "priest," intending it to be understood in the sacerdotal sense of a sacrificer (εερεμσ) and not as the contraction of presbyter, a fact which should be known to all churchmen, irrespective of the legal decision now under review; and it cannot be too distinctly kept in mind that by the ignorant or artful use of these two words the adjudicated doctrine of the Church of England is, now being betrayed.

The court ordered the "altar," with its candlesticks and cross, to be taken away, and they were taken away.

III. The third judgment (1860) is upon certain clerical contributions to "Essays and Reviews," and does not come within the purpose of this article.

IV. The fourth is upon the case of Mr. MACKONOCHIE, who had introduced the practice of kneeling or prostrating

himself before the consecrated elements, and elevating the "paten" and "eup" above his head, and having lighted candles upon the communion table; on all which points he was condemned by the court, and admonished to discontinue said practices, which he did in the following manner. He took the wafer bread from the paten and elevated that only above his head, and elevated only the upper part of the cup above his head, so that it could not be said that he had elevated the eup above his head; and instead of kneeling to the elements kept his knees stiff and bowed to them until his head touched the table, and the lights were put upon stands adjoining it.

Upon being again brought into court upon the charge of evading its monitions, he acknowledged this cowardly and disgraceful conduct, so unbecoming a gentleman and a Christian, and pleaded in excuse that he wished to avoid breaking the *letter* of the judgment without breaking the law of the Church. He was told by the court that the Church had no such law, was severely reprimanded for such dishonorable shifts, and suspended for three months.

V. The fifth judgment, in the case of Herbert vs. Purchas, condemns the use of alb, chasuble, tunicle, and biretta, the mixing of the communion wine with water, and standing before the table with back to the people, and wafer bread. Mr. Purchas disregarded the judgment, said if fined he would not pay the fine, if sent to jail he would die there, or, if he got out, would do the same things again. He was dealt with as was his predecessor in the court, and suspended for three months—a discipline in violent contrast with that recently executed in Illinois, where the respondent was charged with no doctrinal error, but only with non-conformity to the ritual in a single word.

VI. The Bennett Case. The suit in this case was at the instance of the "Church Association," which some bishop has done himself the discredit of calling "the joint stock persecution society." It was formed by persons of highest

standing in the Church for character and means, with the approval of the late and present Primates, in order to a judicial determination as to what is and what is not the doctrine of the Church of England, so that an end might be put to such unseemly controversy.

When the Association took up Mr. Mackonochie it offered to facilitate proceedings and save costs by a friendly suit. This he refused, and when he and Mr. Purchas had been condemned in the costs, the Association offered to pay these costs if they would thenceforth obey the law. This they also refused. They would obey neither courts nor bishops. The suit against Mr. Bennett has cost the Association \$40,000, a trifling sum in comparison with the benefits which must accrue from it.*

It is proper to state that the Association had in this suit the sympathy of a large portion of the high-church party.

The case came first before Judge Phillimore, of the Arches Court, in the following shape: Mr. Bennett, in the first edition of a pamphlet entitled "A Plea for Toleration," had said, "I hold and teach the real, actual, and visible presence of Christ on the altar." Again: "Who myself adore and teach the people to adore the consecrated elements, believing Christ to be in them."

This statement is considerably in advance of Rome itself, which has always admitted the "presence" to be at least invisible.

But, upon conferring with Dr. Pusey, his spiritual adviser, and who himself had had experience of the law in a two years' suspension for preaching false doctrine on the

* The cost of justice in England is disgraceful to any civilized nation. Sir Culling Eardley Smith said to the present writer in 1841 that he had applied to Parliament for an act to do away with the necessity for certain notices in churches. The special necessity which he wished to avoid was that of taking a certain whip (which he showed) into the church on Palm Sunday and swinging it three times over the head of the minister in the pulpit, that ceremony having for ages constituted the tenure by which his estate was held. He was told that such an act would be a "private act," and cost him £500: to which he replied that he would not give £500 for a private act to public decency.

same subject, he modified these expressions in a subsequent edition, so as to read, "Who myself adore and teach the people to adore Christ present in the sacrament, under the form of bread and wine." This is the formula which Dr. Pusey suggested, and for which, in the person of Mr. Bennett, he was himself virtually tried. But of this formula Mr. Bennett took care to say: "My meaning, and that which passed through my mind in writing the original passages, was precisely the same as that which is now conveyed in the words substituted."

At the trial, Mr. Bennett refused to appear either in person or by counsel. The judge (though represented to be of Mr. Bennett's party) speaks contemptuously of his understanding and prudence, and especially complains of him for obscurity.

We trust that this is not a deceitful censure, but we must submit that it is most unjust to Mr. Bennett, whose statements are far more perspicuous than much which the judge himself has written, and his claim to fairness in argument in striking contrast, at least, with that of his seeming censor.**

* In his Plea for Toleration Mr. Bennett writes with force against the arbitrary exercise of episcopal power, as also against legal coercion in the minutiæ of the Ritual, showing that of all the Churches of Christendom that of England is the most book-bound—Rome itself allowing great liberty so only the doctrine be maintained.

Again: none have written more clearly of the injustice and folly of the course pursual toward the Puritans and Wesleyans, and on the sin of retaining in some things the barbarous tyranny of the Tudors and Stuarts in the Church so long after it has been repudiated by the State. But it is manifest enough that all this is only to procure toleration for his own party, whose ecclesiastical progenitors inaugurated this tyranny, and executed it with a heart of iron, so long as it retained the power. And it is equally manifest that if this party gain the ascendency for which it is struggling, no "plea for toleration" would be listened to for a moment. Upon Mr. Bennett's own showing, no doctrinal error of importance ought to be tolerated. The Protestant doctrine respecting the presence of Christ in the eucharist is, in his view, an important doctrinal error, which, if the Ritualists had power, none would be permitted to teach. He admits that the new ceremonies introduced are intended to teach his peculiar doctrines, and that they have no other significance or value.

The opinion of the judge is constructed on this wise: He first supposes a variety of constructions which might be put upon the impugned formula before the court. From these he selects the one least actionable. This he supposes to be the one which Mr. Bennett would put upon it, and thence proceeds to an argument, which makes a considerable volume, and which he supposes the respondent might have used had he chosen to respond, or have submitted by counsel had he chosen to employ any counsel.

Instead of proceeding—in accordance with the established rules for interpreting all written instruments—to determine whether the formula of Mr. Bennett was or was not incompatible with the formularies which it was alleged to contradict, he submits tedious extracts from extreme writers, though none so extreme as Mr. Bennett, and concludes that, inasmuch as such writers were not prosecuted, Mr. Bennett should be acquitted. It is clear that by such a process a judge might as legitimately come to a half dozen different opinions upon the same formula, according to his personal bias. Many of these extracts are from authors who would have protested against such use being made of them. Some are garbled, and some altered, and, to the great scandal of the bench, the judge quotes as authority, not only living parties to the controversy, but with great deference, Dr. Pusey himself, its chief author, and the virtual respondent in the case.

The Appellate Court has not only overruled his decisions in favor of the Ritualists at different times, in no less than eight particulars, but it specially criticises the *method* of the judge as leading to error.

"No mode of argument," says the Judicial Committee, "is more fallacious than that by short extracts, even when candidly made." They then notice some as uncandidly made, and proceed as follows in commenting upon his partiality:—

"But, to say the least, very few of the quotations in the judgment exhibit the same freedom of language as

do the extracts from Mr. Bennett. And after every authority had been examined, there would still remain the question that is before this committee, whether the license or liberty is really allowed by the articles and formularies -whether anything has been said by the respondent which plainly contradicts them. If the respondent had made statements contradicting the articles or formularies, the citation of great names would not have protected him; if he has not done so, he is safe without their protection. There is one passage in the judgment which seems especially to call for comment: 'With respect to the second and corrected edition of his pamphlet, and the other work for which he is articled, I say that the objective, actual and real presence, or the spiritual real presence, a presence external to the act of the communicant, appears to me to be the doctrine which the formularies of our Church, duly considered and construed so as to be harmonious, intended to maintain. But I do not lay down this as a position of law, nor do I say that what is called the Receptionist doctrine is inadmissible; nor do I pronounce on any other teaching with respect to the mode of presence. I mean to do no such thing by this judgment. I mean by it to pronounce only that to describe the mode of presence as objective, real, actual, and spiritual, is certainly not contrary to the law.' Their lordships regret that the learned judge should have put forth this extra-judicial statement, in which he adopts words that are not used in the articles or formularies as expressing their doctrine. The word 'Receptionist' is as foreign to the articles as the word 'objective.' Their lordships have already said that any presence which is not a presence to the soul of the faithful receiver the Church does not by her articles and formularies affirm."

The apology for the judgment's bearing so much the aspect of a plea for the accused, viz., that he had no counsel, is of doubtful force, since the probability is that he may have had twenty in reading up for this voluminous judg-

ment, which, by whomsoever compiled, leaves many marks of

"That index knowledge which turns no student pale, But holds the eel of learning by the tail."

The judge, however, was not quite so far out of the way as reported by Dr. De Koven in the late General Convention, in the words which he quotes from Mr. Bennett and adopts as his own: "I myself adore and teach the people to adore Christ present in the *elements* under the form of bread and wine."

"These," said Dr. De Koven, "are adjudicated words in the highest ecclesiastical court of England." But how could he make so palpable a blunder as to call this the highest court? Besides, the word "elements" is not in the formula adjudicated. It had been left out at the instance of Mr. Bennett's spiritual adviser, and the word "sacrament" substituted—an important alteration—so that Dr. De Koven's formula, so far from having been "adjudicated," is that for which even the ritualistic judge scolded Mr. Bennett, acquitting him with a reprimand upon a much less obnoxious formula.*

* The substance of the preceding criticism upon this opinion we published immediately after its delivery, and, of course, are gratified to find the same view taken of it by the Judicial Committee.

Since the above was written we have seen the famous argument of Mr. Stephens before the Committee (pp. 300, 8vo, Rivington, London), and though sure, from our more partial reading, of the thoroughly partisan character of the judgment, we did not suppose that anything so discreditable to the bench could have issued from any court in England. Mr. Stephens shows that of some fifty authorities quoted by the judge to sustain Mr. Bennett, not so much as one means what Mr. Bennett means: and furthermore, that of the words in which are contained the chief articles of charge against Mr. Bennett, the judgment takes no notice whatever. It was, therefore, a charitable supposition on our part that the judge was helped to his opinion by partisan writers; for, discreditable as it would be to them to furnish such a travestic of authorities, and to the judge to take an opinion at second hand, though honestly, yet not so discreditable as the making up of such an opinion by one appointed and sworn to do justice between the suitors in his court.

Mr. Stephens also differs widely from the judge in his estimate of Mr. Bennett. Mr. Stephens says of him: "S) far as my judgment extends he is a scholar, a man of very deep theological learning, a careful and often a powerful reasoner."

The next step taken on the part of the Association was an appeal to the Judicial Committee of the Privy Council.

It is reported—we know not how truly—that the court for the trial of this case was manipulated by the Prime Minister, who was formerly of the ultra high-church party, but more recently of the broad school. All his episcopal nominees have been in accordance with this view. In constituting this court he left off two of the ablest and most experienced judges in England—Lords Westbury and Cairns putting younger men, of his own views, in their places. These facts (if as stated in the English papers) ought to be noted as giving great additional weight to the opinion so distinctly, unanimously, and emphatically pronounced of the formularies of the Church of England, as being thoroughly Protestant. And this is to be taken in connection with the apologetic strain of such a court for not finding the respondent technically "guilty," and the scruple and doubtfulness of the bare majority found for acquittal, whether it was doing right or doing wrong. The merits of the case will soon appear to the full apprehension of the reader.

The points adjudicated were these three:

THE REAL PRESENCE.

SACRIFICE.

EUCHARISTIC ADORATION.

1. With respect to the first, after citing the Article and Catechism, the judgment says:—

"The Church of England, in the passage just cited, holds and teaches affirmatively that in the Lord's Supper the Body and Blood of Christ are given to, taken, and received by the faithful communicant. She implies, therefore, to that extent, a presence of Christ in the ordinance to the soul of the worthy recipient. As to the mode of this presence she affirms nothing, except that the Body of Christ is 'given, taken, and eaten in the Supper only after an heavenly and spiritual manner,' and that 'the mean whereby the Body of Christ is received and eaten is faith.' Any

other presence than this—any presence which is not a presence to the soul of the faithful receiver—the Church does not by her articles and formularies affirm or require her ministers to accept. This cannot be stated too plainly."

Here is the highest judicial summary, and the sum total of the doctrine of the Church of England touching the PRESENCE of Christ in the Communion. It is spiritual and by faith to the soul of the faithful receiver. It is this, and nothing but this.

It is to be here especially noted that the word "real" in this connection has been repudiated by the Church of England, and for the best of reasons ought never to be employed. Its ambiguity is just suited to the teachers of false doctrine. Like the word substance, which the jangling disputants of an effete philosophy employed to obfuscate the minds of their readers and their own, so this word "real," as employed by Romanizing or Lutheran teachers in the Church of England, has become one of theological legerdemain, by which either Romish or materialistic views of the eucharist may be covered up. So, also, of the barbarous term "objective," imported by the Ritualists into this controversy from the German philosophy. It is a word of no determinate meaning, and so of convenient use against an opponent, and especially for embarrassing a judicial process. Its use in determining the sense of Scripture or standards of the Church touching the Lord's Supper is not for a moment to be permitted, for several reasons. It is strictly the correlative and opposite of "subjective," so that one cannot be used without implying the other. Accordingly, if we deny an "objective" presence, we are charged with hold-ing no other presence than that which is the offspring of our own thoughts, which is not our doctrine.

These terms, "objective" and "subjective," are unknown

These terms, "objective" and "subjective," are unknown to English theology, and there is nothing in Scripture to which they even approximately correspond, and it may well be doubted whether, in the conduct of those disputes for

which German speculators invented them, instead of proving an aid to accuracy of thought they have not proved a hindrance.

It follows, then, in accordance with this judgment, that the terms "real presence" and "objective presence" are terms which have no place in the Reformed Theology. The Church of England is not only Protestant as toward Rome, but Reformed as toward Lutheranism. Otherwise, history is no more history.

2. With respect to the Communion Table being "an altar of sacrifice," the judgment affirms: "The Church of England does not, by her formularies, teach or affirm the doctrine maintained by the respondent. That she has deliberately ceased to do so would clearly appear from a comparison of the present Communion Office with that in King Edward's first book, and this again with the canon of the mass in the Sarum Missal."

This subject was fully discussed before their lordships in the case of Westerton vs. Liddell, when it was decided that "the change in the view taken of the sacrament naturally called for a corresponding change in the altar. It was no longer an altar of sacrifice, but merely a table, at which the communicants were to partake of the 'Lord's Supper.'"

This is not only against Mr. Bennett, but the strongest judicial condemnation which the Church of England can reach of the use which the ritualistic party is making of the word altar, and, by implication, of the word priest, in the sense in which they avowedly use it—as a sacrificer—and not of a presbyter, of which it is the contraction, and the known sense in which those who made the Prayer Book used it.

3. With respect to "eucharistic adoration," in which lies the essential idolatry of the Ritualists, though the subtleties to which they resort stand them instead in the civil courts, which are so averse to condemning any party to a theological controversy, the judgment is plain enough, as follows:—

"It was laid down in Martin vs. Mackonochie that such acts as the elevation of the cup and paten, and kneeling and prostration of the minister before them, were unlawful, because they were not prescribed in the rubric of the Communion Office, and because acts not prescribed were to be taken as forbidden. Their lordships in that judgment adopted the words of the Committee in Westerton vs. Liddell-'for the performance of the Services, rites and ceremonies ordered by the Prayer Book, the directions contained in it must be strictly observed; no omission and no addition can be permitted.' It follows, then, that the Church of England has forbidden all acts of adoration to the Sacrament, understanding by that the consecrated elements. She has been careful to exclude any act of adoration on the part of the minister at or after the consecration of the elements, and to explain the posture of kneeling prescribed by the rubric. If the charge against Mr. Bennett were that he had performed an outward act of adoration on any occasion in the service, the principles laid down in Martin vs. Mackonochie would apply to this case."

This decision is point blank against the Ritualists, and for the Evangelical and old high-church view, and there is no disguising it. On this, as on the two preceding points, the court was unanimous. This was what the Church Association wished to find out, and what it has found out, and herein the whole Church, English and American, owes the Association a debt of gratitude. It has been decided that the Ritualists, such as Dr. De Koven in the last General Convention, and those who adhere to him, though in the Episcopal Church, are not of it; and if Mr. Bennett could have been proved to have done what Dr. De Koven and too many others openly profess and are suffered to do, for such acts Mr. Bennett would have been no longer in the Church.

What, then, does his acquittal, or rather his not being condemned, amount to, when the grounds assigned for it by the court are considered? How can honest men shield

themselves under an acquittal on such grounds, when they know that these are not the grounds on which they stand—the charitable presumption of a sense which they repudiate! How can they hold up their heads in the Church after such an acquittal? They are put upon their honor, either to abandon their system of teaching—word and symbol—or retire from the Church.

It will be noted of this judgment, as confirmatory of the Protestant position, that it is considerably in advance of that in the Gorham case. The respondent in that case was tried, not upon a formula carefully prepared to escape the detection of something held and stealthily taught, but not therein either avowed or denied, but upon the amplest avowal of his doctrine as preached upon the house tops, published and defended by the Protestant Evangelical party as the true doctrine of the Reformation. Nothing was ever more open and above-board. Himself and friends spoke as men who knew their ground. This position of the respondent was positively pronounced upon as lawful. Whether the doctrine of the Bishop of Exeter might or might not also be lawfully held, the court was not called upon to say. It was a matter of inference.

Not so with Mr. Bennett. On the contrary, after the most positive affirmation of the Protestantism of the Church, the court proceeds to censure in pointed terms the eucharistic errors which the whole world knows the Ritualists to be inculcating, though with studied subtleties to escape the letter of the law, while they exhibit more boldly the forms and symbols of the Romish mass.

But the formula which the accused, in conjunction with Dr. Pusey, was allowed to prepare for trial, contained just so much of meaningless ambiguity as to allow the court in its judgment to say—not without hesitation on its part—that the doctrine which it had censured was not certainly contained in said formula.

This is the plain truth of the matter. The Protestants

have obtained a complete victory doctrinally, and just such a victory as honest and honorable men value, not technical, but logical and moral. Archdeacon Dennison, one of the most factious, though most courageous of the Romanizers, is reported to have said that, "according to this judgment their eucharistic notions were in the Church but as a tolerated heresy." Whether he said so or not, it is the truth; nay, more than the truth, for their "heresy" is not "tolerated" in this judgment; it is only charitably presumed not to be found in the particular formula before the court.

But candor requires of us not to stop here. Though the judgment has, in the general, been grossly misrepresented by the Ritualists, and its main points suppressed, and though the Protestant party seems not fully to have appreciated it, or, perhaps, made due allowance for the court, are we satisfied with this judgment, or rather, with the "finding" of the court as toward the respondent upon the technical question of "guilty or not guilty?" We are not. We believe this "finding" after the evidence before the court, compared with the meaning of our Church standards, as pronounced upon by the court itself, to be a non sequitur, and that, in many civil cases not stronger, such a verdict of a jury has been set aside by the judge as contrary to the evidence.

VII. We now proceed to state the grounds which we think the Church has for dissatisfaction with the court for not finding Mr. Bennett "guilty."

1. The charge against him touching the "real presence" was, that he taught "that in the sacrament of the Lord's Supper there is an actual presence of the true body and blood of our Lord in the consecrated bread and wine, by virtue of and upon the consecration, without or external to the communicant, and irrespective of the faith or worthiness of the communicant, and separately from the act of reception." This presence Mr. Bennett had further declared to be "real, actual, and objective."

To this the court replies that Mr. Bennett had changed the expression "in the elements" to "in the sacrament,"* though he takes pains to say that his meaning was the same. The substance of the court's reason for its finding on this charge is in the following words: "The assertion of a real, actual, and objective presence introduces, indeed, terms not found in the articles or formularies, but it does not seem to assert expressly, or by necessary implication, a presence other than spiritual, nor to be necessarily contradictory to the 28th Article."

The inference is that if Mr. Bennett had been proved to hold and teach "other than a spiritual presence" he would have been found guilty. But if Mr. Bennett did not teach other than a spiritual presence—a presence which nobody denies—what was he there for? Let Mr. Bennett or any of his party say whether he does not hold and teach "other than a spiritual presence" in the sense in which the court uses the word "spiritual," and then say whether they can honestly accept the acquittal on the ground on which the court puts it. We must believe that the evidence and the arguments of counsel showed clearly that Mr. Bennett ought to have been found "guilty" on the charge.

2. The charge of calling the Communion table "an altar of sacrifice" is admitted. But the court, after giving the true doctrine of the Church respecting it in ample and satisfactory terms, assigns as a reason for not finding the respondent "guilty" that many divines of eminence had applied the word sacrifice to the Lord's Supper in the sense, not of a propitiatory sacrifice, but of a rite which calls to remembrance and presents that one true sacrifice, and after quoting a passage from Bishop Bull, in which the word is used in that accommodated sense, concludes as follows:—

"The distinction between an act by which a satisfaction

^{*} But Dr. De Koven, in his speech in the General Convention, changed it back again to "elements," so that the words he said with such an air of triumph had been "adjudicated," had been virtually condemned.

for sin is made and a devotional rite by which the satisfaction so made is represented and pleaded before God, is clear, though it is liable to be obscured, not only in the apprehension of the ignorant, but by the tendency of theologians to exalt the importance of the rite till the distinction itself well nigh disappears. To apply the word sacrifice, in the sense in which Bishop Bull has used it, to the ordinance of the Lord's Supper, though it may be liable to abuse and misapprehension, does not appear to be a contravention of any proposition legitimately deducible from the Thirty-ninth Article. It is not clear to their lordships that the respondent has so used the word 'sacrifice' as to contradict the language of the Articles."

This may not be clear to their lordship's minds, but there can be no doubt about the facts. When Mr. Bennett was before the Ritual Commission, July 4, 1867, his answers were as follows:—

Archbishop of Armagh.—" Do you consider yourself a sacrificing priest?"

Mr. Bennett.— 'Yes."

Archbishop of Armagh.—" In fact, sacerdos—a sacrificing priest?"

Mr. Bennett.—"Distinctly so."

Archbishop of Armagh.—"Then you think you offer a propitiatory sacrifice."

Mr. Bennett.—"Yes, I think I do offer a propitiatory sacrifice."

The prudence of the respondent in not appearing before the court is manifest, and his examination in striking contrast with that of Mr. Gorham.

Again we submit the question to the Ritualists themselves, to the respondent, to Dr. Pusey, to Mr. Goulburn, and ask them to say whether they do use the word sacrifice in the sense thus charitably supposed, or in that in which it is used in the passage quoted from Bull? They know that they do not, and that if judgment had been ren-

dered in accordance with the principles laid down by the court itself, and the proofs submitted by counsel, they would have been found guilty in the person of their representative.

Had the meaning been as suggested for the respondent by the court, and not by himself or counsel, it might have been declared in a word, and there would have been no trial.

Such are our reasons for thinking that in quoting Bishop Bull, and in suggesting meanings for the respondent's words which are neither most obvious nor claimed by himself, the court has, though in lesser degree, committed the same error which it censures in the court below, and that the Church has just grounds for dissatisfaction with the court in not finding Mr. Bennett "guilty" on this charge.

3. Upon the charge of "eucharistic adoration," after faithfully citing the prohibition of the Church, the court comes to the following conclusion. Let it be carefully read:—

"And it is also fair to remember, in the respondent's favor, that the judgment in the case of Martin vs. Muckonochie, which established the unlawfulness of introducing acts of adoration, was not delivered until December 24, 1868, after the publication of the words which are now impugned. Some of their lordships have doubted whether the word 'adore,' though it seems to point rather to acts of worship, such as are forbidden by the Twenty-eighth Article, may not be construed to refer to mental adoration, or prayers addressed to Christ present spiritually in the Sacrament, which does not necessarily imply any adoration of the consecrated elements, or of any corporal or natural presence therein. Upon the whole, their lordships, not without doubts and division of opinions, have come to the conclusion that this charge is not so clearly made out as the rules which govern penal proceedings require. Mr. Bennett is entitled to the benefit of any doubt that may exist. His language has been rash, but as it appears to the majority of their Lordships that his words can be construed so as not to be plainly repugnant to the two passages articled against them, their lordships will give him the benefit of the doubt that has been raised."

But who raises this doubt? Neither Mr. Bennett nor his friends. The court says his words can be so construed as not to be plainly repugnant, etc. The judges confess that they do not put the most likely meaning upon Mr. Bennett's words, but the most unlikely—else how are they "rash?"

Again I say, let the Ritualists themselves say whether they are entitled to the benefit of this doubt, and do in truth occupy the ground thus charitably suggested by the court. Farthest possible from it. Had not Mr. Bennett withdrawn the words "visibly present," he would have been found guilty; but the visible presence, nevertheless, is what he teaches and proclaims, in the very words, in the first sermon after his trial, in which he celebrated his triumph. No wonder, then, that so many in the Church feel that justice has not been done; and no wonder that the court, with conscious embarrassment on account of the discrepancy between the facts and its finding, sometimes expresses itself in the judgment as though it wished the Church to embrace everything between manifest Deism and manifest Romanism (which is the probable wish of some of the new judges), and again, as if, through policy, it desired to give no excuse to the Romanizing party for leaving the Church, as it is constantly threatening to do, if not allowed to have its own willful way. Again, it is very severe upon the words and conduct of Mr. Bennett. At the outset of the judgment it quotes and approves the censure which the partial Judge Phillimore felt compelled to make, as follows: "The learned judge regretted that these alterations, made by Mr. Bennett in his third edition, are unaccompanied by any expressions of regret or self-reproach, on the respondent's part, for the mischief which his crude and rash expressions have caused. Their lordships feel obliged to adopt the censure of the judge on this point." But it is difficult to see what expressions of self-reproach either court could have expected, when, in explanation of the changes he had made, he tells them, in effect, that he had only made them at the instance of Dr. Pusey, without changing any opinion.

But it is due to the court that its own conclusion should be heard and considered with all candor, which is as follows:—

"Their lordships have not arrived at their decision without great anxiety and occasional doubt. The subject is one which has always moved the deepest feelings of religious men, and will continue to do so. There might have been expected from a theologian dealing with this subject, if not a charitable regard for the feelings of others, at least a careful preparation and an exactness in the use of terms. The very divine whose opinions Mr. Bennett seems to have sought to represent was obliged himself to point out how erroneous was his statement of those opinions. The respondent corrected the manifest error without an expression of regret at the pain he may have caused to many by his careless language. Even in their maturer form his words are rash and ill-judged, and are perilously near a violation of the law."

A minority were of opinion that the legal as well as moral guilt of the accused was fully established. The reader can now judge for himself of the validity of the reasons assigned by the majority for his acquittal, as also of the value of that victory which his party obtained from a court, which, before the trial, it disparaged by every term of obloquy, such as Baal, Nebuchadnezzar, and Judas; from which court said party, conscious of its own purposes, evidently expected nothing.

We cannot better conclude under this head, than by

citing the following from a criticism upon the judgment by Bishop Thirlwall, of St. David's:—

"In one or two points, indeed, the maxim by which the defendant in a penal case is entitled to the benefit of a doubt may seem to have been strained somewhat beyond its reasonable limits. The defendant's original statement affirmed a 'visible presence of our Lord upon the altars of our churches.' It seems that a more judicious friend led him to observe that this language went too far, even beyond the Romish doctrine of the Real Presence, and he was thus induced to substitute a different expression. he took care to explain that he meant precisely the same thing by both statements. It might therefore have seemed that he wished to be understood as continuing to maintain that complete identification of our Lord's Body and Blood with the bread and wine which is implied in the phrase 'visible presence.' The judge in the Court of Arches had no hesitation in pronouncing that the expression 'visible presence of our Lord upon the altars of our churches,' is, in its plain meaning, at variance with all the formularies of our Church upon the subject, at variance with the language of the service of the Holy Communion, of the Twenty-eighth Article, and of the Catechism, and that the doctrine which it expresses overthroweth the nature of a sacrament even more than transubstantiation.' But the defendant never explained how the sense in which he used the original words differed from that which the judge considered as their plain meaning; or, if his language was susceptible of more than one construction, which it was that 'passed through his mind when writing.' And having expressed the same thought in two different forms of words—the one perfectly plain and simple, the other in the highest degree obscure and ambiguous—he was allowed the privilege of expounding that which was unmistakably erroneous by that which might mean anything or nothing.

"It was, perhaps, a still more arduous achievement of

charitable interpretation, and one which was not accomplished without doubts and division of opinion in the court, to suppose that one who 'adored Christ present in the Sacrament, under the form of bread and wine, believing that under their veil is the sacred Body and Blood of Jesus Christ' might mean something by it essentially differing from the statement that he 'adored the consecrated elements, believing Christ to be in them, and that his Body and Blood are under their veil;' and this notwithstanding his own assurance that the two expressions were intended by him to convey precisely the same meaning. It is at least a distinction which requires a very high degree of legal acumen to perceive."

The bishop, while pleased with the "acumen" of the court, is of opinion that the "success of Mr. Bennett and his party in coming so perilously near to a distinct avowal of Romish doctrine has not been such as to invite any one

to repeat the experiment."

VIII. The use of this judgment made by the Ritualist press generally, must not be allowed to pass without notice. It is natural enough in one who had expected to be hung to rejoice at his escape, no matter upon what grounds. It is due, also, to say that in some instances the humiliating nature of the acquittal has been acknowledged; but the dising genuousness of the general reports is too flagrant to escape reproof. That of the "Church Chronicle," of Nova Scotia (and that of the late "Church Weekly" was not much better), was as follows:—

"It may interest some of our readers to know that the Judicial Committee of the Privy Council have decided that the following doctrines may lawfully be taught in the Church of England: (1) That there is in the Blessed Sacrament a real, actual, and objective presence of Christ's Body and Blood, under the form of bread and wine. (2) That there is therein a Sacrifice offered to God. (3) That Christ so present ought to be adored."

It is with humiliation that we transcribe the following from the ritualistic quarterly called "The Church and World," for October, 1872:—

"In the great Bennett case, lately decided, the court has pronounced that a clergyman of the Church of England is at liberty to teach: That there is a real and actual presence of Christ under the form of bread and wine on the altars of our churches, that he adores and teaches the people to adore Christ present in the Sacrament under the form of bread and wine, and that the Communion Table is an altar of sacrifice, at which the priest appears in a sacerdotal position at the celebration of the Holy Communion, and that at such celebration there is a great sacrifice or offering of our Lord by the ministering priest, in which the mediation of our Lord ascends from the altar to plead for the sins of men."*

How such a travesty of this judgment can consist with moral integrity we cannot understand, or how those who put it forth can meet before God those who depend upon them for the truth. Were there any limits to the deceitfulness of the human understanding, when fascinated with false doctrine, those who issue such reports could not escape the charge of a willful attempt to deceive the public. The secular press was made use of to some extent for the same purpose; but the leading secular journals in England take a very different view, being either indignant or merry at the incongruities of the judgment. One speaks on this

^{*} Referring to the decided and severe eensures passed unanimously by the court upon their principal doctrines, the "Review" says that the decisions (as given above by itself) were "accompanied by certain obiter dicta, put in, as is well known, (?) to please the Archbishop of York and the Bishop of London, which the clergy were at liberty to treat with perfect contempt," etc.

The Ritualists first quarrel with the constitution of the court, because of the lay judges, but, according to the above, it was the bishops who were most against them; and does any one who knows their history, suppose that the judgment of all the bishops against them would have made any difference, since when condemned they "appeal to the Universal Episcopate." So little is gained by any judicial leniency to men in fixed and active hostility to the Church to which they profess to belong, and allied in heart to the Church of Rome.

wise: "The respondent says that black is black, but the court decides that in some sense or other he may have meant white, therefore," etc.

Another sums up the decision as being in substance that of the Welsh Judge: "Not guilty, but you musn't do so again." This is about the sense of the judgment in a nutshell.

IX. The Protestant portion of the Church, however, sees, as all the world sees, that in this judgment its own position is judicially accredited as it never has been before. But that it did not need, and it cannot withhold the expression of its deep and earnest dissent from some of the positions taken in this judgment.

1. That formularies must be so interpreted as not to exclude any considerable numbers of the Church. This seems to be implied when the court says: "In the public or common prayers and devotional offices of the Church, all her members are expected and entitled to join. It is necessary, therefore, that such forms of worship as are prescribed by authority should embody those beliefs only which are assumed to be generally held by members of the Church."

This seems plausible, but the more it is examined the more untenable it will be found. No one with any knowledge of the facts will pretend that the Reformers proceeded upon any such notion in the construction of the Articles and Liturgy. Their avowed object was positive truth, and their avowed standard of it the word of God. Their avowed determination was to make everything conform entirely to Scripture, and not to "embody only those beliefs assumed to be generally held." In point of fact, the "beliefs embodied" in the doctrinal standards of the Church were not generally held when they were adopted, and it is doubtful whether they ever have been held by the majority from that day to this, though probably no change could now be suggested which a majority would agree to. It was the strong arm of Elizabeth (and apparently for political reasons in her

mind) which constituted the doctrines of the Evangelical minority the national faith. The standards so constituted have ever been the conditions on which membership in the National Church is accepted. It is competent to the Church to change them, but to interpret them judicially with any reference to existing beliefs or practices is a position which cannot possibly be maintained, and as much seems to be implied in another part of this judgment. Were the "beliefs generally held," even by the bishops, in the reign of Charles II, "embodied" in the Thirty-nine Articles? They were not. Were they during a considerable portion of the 18th century? They were not. But the Articles (and formularies which the Articles were intended to supplement and interpret) lived while those who had betrayed them died. the testimonies which these Articles and formularies have borne from generation to generation have proved the seeds of revival and the ultimate protection of those who, from time to time, have been raised up to defend their Evangelic truths against heretics and deceivers.

If the position here taken by the court had been sound, and if it had been practicable to find out the beliefs of a majority at any given time, it would have been necessary to change these standards backwards and forwards, again and again, since they were established.

The position is latitudinarian to a degree which cannot be tolerated for a moment by any who hold that a positive and authoritative religion is taught in the word of God. And although confessedly no more than an *obiter dictum*, yet, considering the constitution of the court, it is surprising that a minority at least was not found to protest against it.

2. There is further cause of complaint against this judgment in the fallacious distinction set up between the law-fulness of doctrines as *symbolized* and as *preached*. If the law prohibits the one, it must needs prohibit the other.

Why tolerate the cause, in false dogmatic teaching, and

prohibit the effect, in false representative symbol? It is easier to invent some other than the apparent meaning of the symbol, than of the verbal teaching. Why tolerate to the mind that which is forbidden to the eye? It is "out of the heart," into which false doctrine has been previously permitted to enter, that these things "proceed." Is the Church a sepulchre whose outside must be kept in scrupulous whiteness, while within it is filled with all manner of dead men's bones—Colensos, Puseys, Essayists and Reviewers!

It is justly laid down by this court, that in the conduct of Church instruction, what the law does not authorize it prohibits. It has authorized the belief of a spiritual presence of Christ in the Communion to the soul of the faithful receiver, and it has not authorized any other belief. But in the ultra Romanizing churches, during the Communion, the crossings, and bowings, and genuflexions, and backturnings, which are almost incessant, to the great disgust of the parishioners who have no other place of worship but in their parish churches or with the Dissenters, these things visibly teach a local, or some other presence, in the sacrament, which the standards do not teach, and, therefore, are pronounced illegal and ordered to be stopped.

The legal prohibition in this case is but an inference from the fact of the non-teaching of the Articles. If this inference be justly drawn, as doubtless it is, then, a fortiori, the categorical teaching by words, of another presence, must be illegal.

But it was proved to the court that, whatever Mr. Bennett might mean by his new words, he certainly did teach, and intend to teach, a presence other than that which the court had decided to be the only one taught by the Church. The court was, therefore, bound by the clearest rules of consistency, to find the respondent guilty. If, as in this case, the Romanizers, when before the courts, are allowed, by an artful ambiguity of words, or other subtleties, to prevent a

legally criminal sense to be put upon their formulas, manipulated for trial, which sense, outside the court, is notorious and undisputed, nay, the avowed sense of the accused themselves, it must be subversive of all certainty in judicial proceedings, and demoralizing to the public. This remissness of courts in the administration of criminal law upon delinquents according to the evidence, is one of the present evilomens to society. The promptness and vigor of the late ecclesiastical prosecutions in Illinois and New York must be looked upon as exceptions. We conclude, then, that the finding of the court in this case, upon the question of "guilty or not guilty," is open to the public censure which it has so generally received.

3. The court intimates that comprehensiveness is the best policy for the Church. But if, in its opinion, Judge Phillimore was censurable for resolving himself into a synod to determine what is and is not true doctrine, does not this court resolve itself into a prudential, rather than a Judicial Committee, when it undertakes to advise comprehensiveness, or to advise anything? Its province was not to consider the consequences, desirable or undesirable, of excluding the Ritualists from the Church, but whether their teaching, as submitted and proved in the case before it, was or was not that of the Church of England in the premises.

The conviction is next to universal that it is not, and hence the co-extensive conviction that justice has not been done. The fact cannot escape notice that since the judgment was delivered no individual Ritualist or press has admitted that the meaning supposed by the court as possibly Mr. Bennett's, and on which he was acquitted, was what he or his party really mean by the formula adjudicated, or by any means what they hold and teach. It is difficult, therefore, to see how they can otherwise than consider themselves as condemned and bound, in foro conscienciæ, either to cease from their teaching or secede from the Church, upon pain of forfeiture of character.

Dr. Pusey himself being the virtual respondent in this case (having dictated the formula before the court), the position in which the judgment leaves him as towards the Church cannot be better stated than he himself stated it in advance, in his remarks at the Church Congress, in 1864, touching the decision in the case of "Essays and Reviews."

"No lasting evil," he says, "arises from the wrong acquittal of an individual so long as the standard itself, by which right and wrong, truth and falsehood are established, is not made crooked. For such is our English love of truth, that if any one should escape condemnation simply because he has stated his false belief evasively, no human talent could ever restore his influence. * * Churchmen claim only for themselves the liberty which is afforded to Dissenters, to make clear the undoubted meaning of our formularies in any case in which their meaning shall be morally certain yet may not be so expressed as to render it imperative upon the legal mind—which thinks it right to give the accused the benefit of any possible way of escape—to pronounce the offender guilty."

Dr. Pusey will probably not admit that in the formula before the court he "stated his false belief evasively," though it is hard to believe otherwise. But he cannot deny that the meaning which he attaches to his ambiguous words was condemned, therefore his status toward the Church is, in a moral point of view, precisely that of the "Essayists and Reviewers," and "no human talent can restore his influence."

4. The system which the Ritualists are striving to introduce is not, as Dean Stanley assumes, in the "Edinburg Review" for July, 1872, the old quasi Lutheranism of Elizabeth, and which has been tolerated in others since her day, but the system of the Romish priesthood, and even more in the ultramontane than in the "old Catholic" aspect.

None can be presumed to know this better than the Judicial Committee. If, therefore, the committee ventures to hint at the question of *expediency*, the well-known history

of that system, with the effects inseparable from it in proportion to its ability to have its own way, should not be left out of the account. Does not the committee know that so near the place of its sitting as Belgium, where Romanism has full sway, if a judge offends "the Church?" by his decisions the priests deny him the sacraments? Does it not know that the system which the Ritualists are striving to introduce—judged by its history—would suffer no court or press to speak but by its permission? For the political, social, and moral history of this system, look at Rome, its center, and the late States of the Church, which, until the tyranny of the priesthood was overthrown, presented the darkest picture of ignorance, poverty, and crime, of any nation in Europe; and just in proportion as Romanism is superseded by Protestantism does the picture improve.*

The statistics, made up by the parties themselves, put this beyond dispute. And in most of our large cities, where the majority of the people is largely Protestant, the majority of convicts is largely "Catholic." These are results which neither logic nor sophistry can detach from their assigned cause. If, therefore, the voice of expediency is to be heard at all in such a case, it should be heard at greater length.

5. We further notice in this judgment a caution to charity between the parties to this great controversy. So far from stigmatizing this as an "obiter dictum," we accept it as a friendly exhortation. The "odium theologicum" has passed into a proverb. Some occasion has, indeed, been given for this, nor is it so surprising when we consider the nature of the subjects in dispute, involving, as the parties believe, not

^{*} The chapter (in a Blue Book recently drawn up by Signor Ghiglieri, Procuratore Generale of the Italian Kingdom,) devoted to the statistics of crime in what were formerly the States of the Church, and the analysis of the deeds of blood-guiltiness therein (it says), is absolutely appalling. It gives the details of one thousand assassinations, or attempted assassinations, more than seven-tenths of which were committed on Sundays or on the numerous holidays of the Church, given up to idleness and dissipation.

the interests of the present life, but salvation from sin, and heaven's eternal joys. But we must submit that on the part of the advocates of truth there has been, in this respect, a steady advance from the earliest ages of Christianity, and that there has been no better example of this charity, nay, of generosity, as we have already seen, than in the Church Association offering the condemned parties to bear the entire costs of the trial if they would cease from their disloyalty and contempt for authority and submit to the decisions obtained. Contrast its language with that of its opponents. Wesley and Toplady, when contending about questions of comparatively little moment, exchanged epithets which have been unknown in this struggle for the very life principle of the gospel. At the Reformation, when, indeed, the controversy was, in substance, what it is now, the Church of England, in one of its authorized standards, speaks of Rome, not only as a "harlot," but "a foul and filthy harlot —the foulest and filthiest that ever was seen." Luther said of his adversaries that he "was born to combat with conspirators and devils." But contrast even this again with the language of St. Jerome, who, when he heard of Rufinus —with whom he had quarreled, though as good a Christian as himself—that he was dead in Sicily, "thanked God that the hydra-headed monster had ceased to hiss, buried under the same earth that covered Enceladus and Porphyry.".

6. Such are the views reached of this famous judgment—of what it has done and what it has left undone. For the first, it has vindicated the standards of the Church touching the great crucial question of the Lord's Supper, as Protestant and Evangelical, insomuch that no Evangelical member of the Church could ask for more. For the second, it has dismissed the appeal against Mr. Bennett, upon the supposition that he might not mean what his words naturally imply—what he has not disclaimed, and what all outside the court believe him to mean.

The most probable inference, therefore, to be drawn,

touching its effects as a whole, is that its benefits will be great and lasting, and its evils, though real, yet *comparatively* few and temporary.

X. For confirmation of the general view taken in these notes, some extracts are added from a summary by the legal editor of these "Six Privy Council Judgments." (Appendix, p. 271.)

"In the case of Mr. Gorham, the doctrinal statements of the defendant, which were impugned by the Bishop of Exeter, were not only allowed by the court, but in a great measure justified. Whereas, in the case of Mr. Bennett, the committee comment in terms of harshness on the doctrinal statements put forth by the respondent. Unwilling, however, to restrict the latitude allowed by the Church in matters of opinion, and the charge being made in a highly penal proceeding, the committee gave the accused the benefit of the doubt that was entertained by the majority and dismissed the appeal.

"The most remarkable feature of the Bennett judgment is its unexampled severity—'careless language,' 'crude and rash expressions,' 'words rash and ill-judged, and perilously near a violation of the law.' Such are the terms in which Mr. Bennett's shielded statements of the doctrine of the Lord's Supper are assailed.

"His statement of 'the presence' in his second edition of 'A Plea for Toleration,' is 'careless and mischievous.' When corrected under the advice of Rev. E. B. Pusey, it is characterized as 'rash, ill-judged, and perilously near a violation of the law.' It is asserted repeatedly by the court that the Articles and formularies give no color or sanction to the sacramental doctrines taught by the respondent. All that is decided in his favor amounts to no more than this, that the dogmatic statements which he makes, when charitably viewed and taken in mitiori sensu, are not so plainly repugnant to, or irreconcilable with, the teaching of the

Church, as to justify the court in visiting him with punishment.

"To many persons the expressions substituted in the third edition of 'A Plea for Toleration' will seem to be a mere evasion of the more direct language used by Mr. Bennett in the second edition, and unhesitatingly condemned by the court. But if Dr. Pusey is the real respondent, having supplied the form of words against which the prosecution was directed, it is not without its own instructive lesson to remember what was said by him at the meeting of the Church Congress in 1864. Commenting on the recent decision on 'Essays and Reviews,' he said." (What he said has been already quoted.) The editor further adds (p. 273), "The law, though unequal to a contest with the subtle and incomprehensible refinements of theological doctrine, is competent to deal with overt acts about which there can be no dispute" (such as bowing to the elements). "Sacerdotalism, repudiated again and again by the court, is not the teaching of the Church, but a private view tolerated within it."

The subject of baptism having been previously disposed of, the following catalogue is added, of the points ruled in the preceding decisions touching the Lord's Supper, in seventeen particulars:—

- 1. The Church of England has no altar of sacrifice. (The judgment points out the essential difference between an altar and the Communion table, and notices Mr. Bennett's habitual use of the former word.)
 - 2. The Lord's table must be of wood, and movable.
 - 3. A stone altar is illegal.
 - 4. A cross attached to the Lord's table is illegal.
- 5. Lighted candles on the Lord's table during the administration of the Communion, and not wanted for light, are illegal.
 - 6. The use of incense during the Communion is illegal.
 - 7. The use of embroidered linen and lace is illegal.

- 8. The mixed chalice is illegal.
- 9. Wafer bread is illegal.
- 10. The use of alb, chasuble, and tunicle during Communion is illegal.
- 11. During prayer of consecration, minister must stand, and not kneel or make any sign of adoration.
 - 12. Standing with back to the people is unlawful.
- 13. To elevate the paten or cup more than is necessary to take them into the hand is unlawful.
- 14. The Church of England has no sacrificial altar, or any propitiatory offering on the Lord's table.
- 15. To teach that the sacrifice or offering of Christ can be repeated is illegal.
- 16. The Church of England does not affirm any presence in the Lord's Supper, except a presence to the soul of the faithful receiver.
- 17. To adore the consecrated elements, or give any external sign of adoration to the Lord as being present in them, is unlawful and prohibited.

The general result is, that the Ritualists have no legal standing in the Church of England. The claim of any holding their principles to remain in it, rests upon doubts raised in their behalf by the leniency of the court, as stated by the court itself.

- XI. In concluding this Review some further observations, not so immediately connected with the "judgment," will not be out of place.
- 1. With respect to the general character of the Ritualist party. It can show a few examples of men who have written admirably upon subjects of practical religion, such as Goulburn. The same is true of the Church of Rome. But the tendencies of the teachings of Pascal and Fenelon in the Church of Rome, in the 17th century, was from darkness into light. Those of Goulburn, in the Church of England, in the 19th, are from light backward into darkness. His doctrinal errors are very great, and all the more dan-

gerous from being taught in connection with what is most true and most precious. Had he been born in the Church of Rome, he would not have been an "Old Catholic." Had Pascal been born in the Church of England, he would not have been a Ritualist.

The Ritualists also show examples of men apparently honest, who acknowledge that they are not Protestants, and, trying to make the best of their position, hardly know what to do with themselves. But in the general their writings and measures, beginning with Dr. Pusey, are characterized by Jesuitism, of which we do not believe any example can be found in a Protestant Church.* With the most ultra theory of Episcopal power, they disobey and insult their bishops if they presume to interfere with them, appealing, in justification of such apparent hypocrisy, to the "whole Episcopate of the Church Catholic," which they are sure never to hear from.

* Is this charge of Jesuitism a railing accusation? For one of the innumerable facts which prove it to be the plain truth, see Mr. Maskell's Letter to Dr. Pusey ("Christian Observer," vol. 50, p. 793), in which the following paragraph occurs: "I know how heavily the enforced mystery and secret correspondence regarding confessions in your communion have weighed down the minds of many to whom you and others have "ministered." I know how bitterly it has eaten, even as a canker, into their very souls. I know how utterly the specious arguments which you have urged have failed to remove their burning sense of shame and deceitfulness, and for their sakes, forgetting both myself and you. I speak so plainly as I have."

It appears, then, that these English confessors are "ministers of sin"—far more aggravated than that which those whom they have deluded come to confess, and sin of which they themselves are the originators and partakers. Practices and arts of which this is but a specimen, are intolerable to a good conscience, and hence the retirement of Mr. Maskell to a communion where there is no necessity either for an artful ambiguity of words to evade the just discipline of the Church, or doings incompatible with good moral character in subscribers to the XXXIX Articles. The very presence of Romanists in a Protestant Church is a deceit, and none other than "deceitful workings" are possible to them while there. Morality is not merely vitiated by fornicators and thieves, but by false witnesses and deceivers, and it is this recognized incompatibility of Romanism in a Protestant Church with morality which insures the ultimate downfall of the Ritualistic party, though it were twice as numerous as it is.

Beyond any example in the "Church Catholic" to which they appeal, they are despisers of authority, whether Episcopal, or the judicial decisions of courts, and one of the ill consequences which has already followed the acquittal of Mr. Bennett (such as it was), is the right which his party claim under it to go on teaching as they have taught, in comtempt of the law as defined by the court itself.

Here the question arises whether it is true that nothing more can be done. In England the delinquents can be punished by fine and imprisonment, but this appears to be the very punishment which they desire, if they are to have any at all. The fine, one of them tells us, he will not pay, or it will be paid by the party; and imprisonment, under the old law, is not in accordance, as they well know, with present public opinion, and, if actually enforced, would be esteemed a charming martyrdom. Nobody wants them fined or imprisoned, but the people who cannot choose their own pastors, but for whose benefit Church endowments were originally made in accordance with the Protestant faith, and who have nowhere else to turn but to their parish churches, should demand an authority somewhere to deliver them from the ministrations of those who have betrayed their trusts; otherwise they have greater cause for rising up against existing administrators of the law than their fathers of the Reformation, for they rose up against the law itself, as it then stood.

In this country, where Ritualists separate from different congregations and set up for themselves, at their own expense, the question of taking property not their own is avoided. But here is a minister who conceals his opinions at the time of his election, or knows that they are not understood. He begins stealthily to work against those who elected him, gathering around him a party of active but silly women and sillier men, introducing novelties by little and little, working with the young, avoiding all collisions

with vestries until a factitious majority is secured, eked out by stipendiaries and paupers, which, by means of universal suffrage, is able to say to the rightful proprietors of the church that the election of vestries and control of the property is to be at its will, i.e., the will of the minister, and there is no redress, unless the law-making power be stirred up to watchfulness against such wrongs. If existing laws are inadequate, new ones must be provided; and if formularies prove not to have been sufficiently guarded in themselves against the crafty betrayal of the doctrines which they were intended to teach, and which all the courts say they were intended to teach, the formularies must be revised. And to say that the Church, though convinced of this, is powerless, is pitiable weakness.

The great mass of our people are *Protestant*, and so will remain, with increased determination. There need be no apprehension that the shadow of the sun will go back ten degrees by which it has gone down on the dial of Ahaz. But to say there is no danger, is equally wide of truth and wisdom. The man who, in 1833, should have predicted that by the present time two hundred of the clergy of the Church of England would have formally joined the Church of Rome, and as many, perhaps, as five hundred more be more than four-fifths of the way onward to the same position, and our own Church furnish a similar number of examples, in proportion, would have been laughed at as an "alarmist."

The man who had predicted, in Bishop Hobart's day, that by the present time a "St. Sacrament" and its "priest" would have been tolerated by his successor in as outright Romish teaching and worship as in Rome itself, until such time as it suited his convenience to apostatize in form, or that such an "altar" dedication as that of "St. Mary the Virgin" would have been performed by him, and such a book as "Brett's Churchman's Guide" have been dedicated to

Bishop Potter, "by his kind permission,"* would have been denounced as an enemy of the Church.

Surely, then, this is not a time for remissness by the press or Evangelical societies, or for the authorities of the Church, legislative, judicial, or executive, to shrink from their whole duty.

When judgment has begun upon the Church of Rome, let Protestants know that if they would not be partakers of her plagues they must not be partakers of her idolatry.

XII. The view taken of the Bennett Judgment in the preceding notes, its real bearings as toward the parties concerned, its merits and demerits, is in substance that of the most prominent Evangelical men in England, such as Garbett, Bardsley, McNeil, and Blakeney, as also by the Evangelical press, and by the secular journals of greatest influence.

We have rarely seen a more truthful summary of the situation than that given in the "Pall Mall Gazette," from a stand-point of impartial observation, if not of indifference, as follows, and to which we do not care to make any addition:—

"The cases of the three absolved defendants (Gorham, Essayists, and Mr. Bennett) differ very materially in one respect. The accusation against Mr. Gorham amounted to this only, that the impugned tenet contravened certain dis-

* This book teaches the Romish Rule of Faith. "Holy Scripture interpreted by the universal tradition of the Church; "sins, original and actual, washed away by baptism; "absolution, which conveys the grace of pardon;" prayers for the dead, with every one of the false doctrines and unlawful vestments and practices which have been condemned by the Judicial Committee of the Privy Council in their recent decisions.

It is truly amazing that a Protestant bishop should give his permission for such a book to be dedicated to him. There is no excuse for it possible which ought to be received.

The book, moreover, as a manual of devotion, is prolix and complicated to the last degree—a perfect bondage, the tendency being to superstition and melancholy. It is a noticeable fact that when man invents a religion for himself, he always invents a bondage. If Unitarianism be cited as an exception, we deny that it is a religion at all. It is a system of philosophy.

tinct statements of the formularies. The accusation against the two late defendants—Broad Church and High Church respectively—was in substance (whatever precise form it might assume) that they contravened the general force and spirit of the formularies taken together. And there can be no question that this is the case. Could the framers of these formularies be themselves consulted on the subject, no one who knows their history can doubt that they would have welcomed Mr. Gorham as a brother, from whom they only differed through some verbal misconceptions, while they would have expelled the Pusevite from their borders to keep company with the Pope, and would (if circumstances favored the attempt) have instituted criminal proceedings, not in legal fiction, but in stern reality, against the Broad Churchmen. The bulk of our religious laity, who are not blinded by partnership nor bewildered by theological subtleties, do apprehend and do appreciate the distinction between these several classes of cases to which we have adverted. They are familiar with their Prayer-books, and they know well that those Low Churchmen who have run into danger from the law have only come into collision with a few expressions in a particular portion of it. They know that an under current of testimony pervades it everywhere and throughout against the favorite superstitions of the High Church party. They know that it abounds in almost every page in expressions which it is difficult to conceive how any member of the Broad party can employ without certain reservations. And the conclusion they draw is the same which Monsignor Capel would doubtless drawthat the first of these three parties, whether right or wrong, whether for good or evil, is the truest representative of the idea called the Church of England. All the proceedings, up to this time, of the disestablished Church of Ireland tend to show how strongly this conviction prevails there. And we know no reason whatever for doubting that the fates of the Church, under disestablishment, would take a similar

course on this side the Irish Channel. Those who imagine that either the proclivities of the clergy, or the inclination of the Liberals, or the tastes of the fashionable world would determine the bias of the Anglican community, if it were left to go alone without secular support are, we suspect, exceedingly mistaken."

NOTES.

1. The Argument of Dr. Stephens.

This argument, not specially noticed in the foregoing Review, we have read with absorbing interest, not only for its masterly and unanswerable reasoning, but also for the character of the man, which shines so clearly through his argument—his knowledge of the entire subject, apparently beyond that of any of the writers who have undertaken the subject, or of the judges upon the bench—but above all, his candor, his search for truth and truth only. He is no mere advocate, or great lawyer, who can be retained at a price, or retained at all, without respect to his personal convictions.

We do not say that the doctrine of the Church of England respecting the Lord's Supper, as against the Ritualists, had not been previously established. It had been, again and again. But Dr. Stephens has put it in such form that it is not uncharitable to say that those of them who have read it (Dr. Pusey included) must know that their teaching is not that of the Church to which they externally belong, and that their pretensions to the contrary are insincere. The charity which sets this judgment aside in the face of such evidence as has been adduced in the thirty years last past, culminating in this argument of Dr. Stephens, is spurious; it is not the "charity" which "rejoices in the truth."

The positions of this argument, as we have seen, were

affirmed unanimously by the highest appellate court of the Church of England, having the largest number of judges which ever sat upon the bench in a single case; and, if there was any partiality in constituting the court it certainly was not in the direction of Evangelicalism. In fact, Dr. Stephens says, as we shall presently quote, the question does not involve the differences between any of the old historic parties in the Church. We may, therefore, pronounce the debate closed, the verdiet rendered, and the question not to be reopened by any who can be entitled to claim a hearing.

Touching the parties referred to, Dr. Stephens sums up as follows:—

"These schools of thought have, at different periods of our history, been represented by Jewell and Overall, Andrews and Tillotson, Robert Nelson and Wm. Wilberforce, Dean Hook and the late Dean Goode. It should be distinctly understood that with neither of these schools of religious thought does this argument in any degree interfere. The doctrine maintained by Mr. Bennett is as contrariant to the doctrine of these two schools of thought as it is contrariant to the formularies of the Church of England.

"If your lordships affirm the doctrines of Mr. Bennett, viz:—

- "(1), That the *true* body of Christ is present in the elements on the altar:
- "(2), That the priest makes a real offering of Christ to God in the eucharist; and,
- "(3), That adoration is due to Christ present in the consecrated bread and wine,
- "Then there is no substantial distinction between the doctrine of the Church of England and the decrees of the Council of Trent in reference to—
 - "(1), The Real Presence;
 - "(2), The sacrifice of Christ by the priest;
 - "(3), The adoration of Christ in the elements.

"Then Cranmer, Ridley and Latimer can be no longer regarded as martyrs who suffered for the truth; and the Reformation itself becomes neither more nor less than an unjustifiable, and therefore sinful, act of schism."

The court, as we have seen, condemned these errors, all and singular, unanimously and emphatically. There was found no difference (as there had been in the inferior court) between the court and the prosecution touching the doctrine of the Church of England. It was also admitted by the court that Mr. Bennett had no authority for his teaching in the standards of the Church. Upon what grounds he was permitted to escape has already appeared.

This argument is also of lasting value to the cause of justice, taken as a review of the fallacious reasoning of Judge Phillimore, and a rebuke to judicial delinquency. All the "authority" and positiveness of the bench of the Arches Court, in this case, before the majesty of truth, becomes as weakness itself.

2. Dean Stanley.

The ablest apology for the verdict of the court which has come under our observation is by the Dean of Westminster, in the "Edinburg Review" for July, 1872. He is, of course, with the court in its view of the thorough Protestantism of the Church of England, and, perhaps, adds something more to the strength of its judgment, on this point, than is found in the argument of Mr. Stephens or in the judgment itself. He justly remarks that the whole principle for which Protestants contend is conceded by the rubric which declares that in the case of any just impediment —the moral conditions of the Communion being complied with—the man so hindered "doth eat and drink the body and blood of our Saviour Christ, although he doth not receive the Sacrament with his mouth." It is said that there was a rubric to the same effect in the Mediæval Church. It is certain that the Romish and Lutheran errors upon this subject are of comparatively recent date. We know that there were many believers in justification by faith, in the Church of Rome, before the Council of Trent, and, in fact, speeches were made in that Council upon election and predestination which most Calvinists would now accept. (Vide Father Paul's History, p. 211.)

Touching the controversy between the Lutheran and Reformed, the following sentences are worthy of being reproduced: "Luther, the Titan of the age (as he has been termed by the great Roman Catholic theologian of Munich, the first Roman Catholic who has dared to speak the truth concerning the relations of the Romish and Protestant Churches)—in most points the boldest, the most spiritual of all—on this point was the most hesitating and the most superstitious.

"Under the new name of consubstantiation, the old dogma of transubstantiation received a fresh lease of life. The unchanged form of the Lutheran altar, with crucifix, candles, and wafer, testified to the comparatively unchanged doctrine of the Lutheran Sacrament. Melanethon, Bucer, Calvin, all trembled on the same inclined slope, all labored to retain some mixture of the physical with the purer idea of the metaphysical moral efficacy of the eucharistic rite. One only—the noble-minded Reformer of Zurich—the clearheaded and intrepid Zwingle, in treating this subject, anticipated the necessary conclusion of the whole matter. In language perhaps too austerely exact, but transparently clear, he recognizes the full Biblical truth that the operations of the divine Spirit on the soul can only be through moral means, and that the moral influence of the Sacrament is chiefly or solely through the potency of its unique commemoration of the most touching and transcendent event in history. This is the doctrine, sometimes in contempt called Zwinglian, which, in substance, became the doctrine of all the Reformed Churches, properly so called, and more or less of all Protestant Churches." Referring to the Conference of Marburg, he continues: "Everything which

could be said on behalf of the dogmatic, coarse, literal interpretation of the institution was urged with the utmost vigor of word and gesture by the stubborn Saxon. Everything which could be said on behalf of the rational, refined, spiritual construction was urged with a union of the utmost acuteness and gentleness by the sober minded Swiss. Never before or since have the respective systems been urged with more ability."

How many thousands in the Episcopal Church have heard its real doctrine of the eucharist stigmatized as Zwinglianism by those who have never read a line of Zwingle's writings, or knew anything of him except from his adversaries in the interests of semi-Romish errors. We rejoice in the many signs that the *truth* upon this subject is likely to be known and vindicated.

Dean Stanley speaks of the difference between the decisions of the Arches Court and that of the Judicial Committee as this: The first holds Lutheranism to be the doctrine of the Church of England touching the eucharist, and the Reformed doctrine as being tolerated. The second is just the reverse: "the Lutheran view is tolerated, while the Reformed is maintained." If he means that Lutheranism has been tolerated in point of fact, it is historically true; but if he means that it has been judicially tolerated, we submit that it is incorrect, and that even the judgment of the Judicial Committee cannot be so understood. Mr. Bennett was acquitted upon a doubt raised whether the formula upon which he was tried did certainly amount to the "Lutheran view."

But, as might have been expected, the Dean is in his element when vindicating the acquittal of Mr. Bennett. In what is properly called toleration we have no fault to find with the Broad-church party; but there is a wide difference between toleration and the bold Erastianism avowed in the following paragraph: "Even had Mr. Bennett's original statement been preserved intact, it seems to us that the

breadth of the principle here laid down would have been sufficient to have covered it. A 'visible presence' of that which is allowed on all hands to be invisible might fairly have been declared to be unmeaning, and, if unmeaning, then capable of the same charitable construction which, under like circumstances, the judgment has placed on the words 'adoration,' 'sacrifice,' and 'objective presence.' In fact, there are very few deviations from the formularies which this decision would not cover."

Suppose Dean Stanley to be Judge Stanley, sitting upon a charge of defamation, how, on his principles, could conviction possibly be reached? for, so long as it was possible to raise a doubt about the meaning of the accused, he would be entitled to the benefit of it; but if the falsehood should prove too plain for doubt, it must necessarily be too monstrous for anybody to believe; consequently no harm could ensue or damages be awarded. Upon his principles there is an end of discipline, which is one of the essential notes of a true Church.

This comment upon the "achievement" of the court, though the Dean intends it not so, is the severest criticism which has yet appeared upon the acquittal of Mr. Bennett.

3. On the manner of Christ's presence in the Lord's Supper.

There has not fallen in our way a more condensed, yet lucid and conclusive explanation of this subject, than in the following address, made by the Rev. Dr. Boultbee at a late meeting of the clergy in London:—

The Rev. Dr. Boultbee opened the next question, viz.: "Will the words of institution of the Lord's Supper, when most literally interpreted, admit any mode of an objective bodily presence of our Lord in that ordinance?" After observing that in opening such a subject it was impossible not to feel that one was traversing paths trodden hard by the feet of many generations, and that his utmost ambition on that occasion was to draw the minds of some to rest with

more absolute confidence on the Scripture ground of their belief, he said he hoped that some freshness and clearness of thought might breathe into their souls from the words of their Master in the institution of the Lord's Supper which he now proposed to consider. The three synoptical Gospels gave those words with slight variations, yet so that St. Matthew and St. Mark agreed in recording the shorter form-"Take, eat, this is my body," and similar words with regard to the cup; whereas St. Luke gave the longer form, upon which alone he should proceed to comment. The reason was plain and undeniable. If both were true, the longer must include the shorter; but the shorter did not exclude the longer. If St. Luke added certain qualifying words it was clear that they were bound to take the fuller form if they would follow the Lord's teaching wholly. In St. Luke xx, 19, 20, they read, "This is my body which is given for you: this do in:" "This cup is the New Testament in my blood, which is shed for you." Men had no right, when treating on this subject, to take the shorter form only; but that was done perpetually in the Catechism of Trent. They would find Luther himself doing it at the Conference of Marburg with the Zwinglian party. There he inscribed on the table before his eyes the four words, "Hoc est corpus meum," and recurred to them continually, saying, for example, "Christ has said, 'This is my body,' let them show me that a body is not a body." But the words of our Lord were not simply "This is my body," but "This is my body which is given for you." The importance of the qualification depended on the force of the words in the Greek original, to which he besought their attention. The Greek implied more precisely, not "which is given," but "which is being given." The tense was not the past or future, but the absolute present:—"My body which is being given for you" (τὸ δπὲρ δμῶν δίδόμενον), "My blood which is being shed for you " (τὸ ὁπὲρ ὁμῶν ἐχχυνόμενον). St. Paul's account of the same thing (1 Cor. xi, 23-25) conveyed the same idea-

"This is my body, which is being broken for you." The true passive present tense was continually mistaken in English. "It is shed" was supposed to be a present passive. It was a perfect tense, the essence of which was the past action being continued into the present. "It is being shed" was the real passive present; and in whatever language their Lord uttered the words under consideration, it had pleased Him that they should be authoritatively recorded in the Greek, in which the exact distinction between perfect and present and every other shade of temporal distinction were exquisitely exact and certain. His first point in commenting on these words was that their Lord declared the presence of two things, separate the one from the other -His body and His blood. Taking the bread, He said, "This is my body, which is being given for you"; and taking the cup, He said, "This cup is the New Testament in my blood, which is being shed for you." The bread was not the cup, nor the cup the bread. At the moment when Christ said those words He was a living man; the blood was in His veins, not separated from His body; and it was clear that He was at the moment identifying Himself with that state in which after the lapse of a few hours He would lie. When He spoke of His blood, it was the blood poured out for sinners. Let this literal sense of the words be pressed home, and, like some powerful wedge, it would rive asunder false doctrines, which fell into shivers on either side. The Roman theology asserted that the "whole Christ, body, and soul, and divinity," is in every drop of the cup, and in every fragment of the bread; but this was flatly opposed to the plain, literal acceptance of their Lord's words, to which they were often challenged. The idea of separation was indelibly impressed on the words of the institution: "The blood is the life." This separation was no less than death. Christ had set before them Himself dead -Himself in the condition in which the Atonement was fully wrought. The spear had pierced the sacred side;

the holy life-blood empurpled the ground below. This was what the exact consideration of their Saviour's words taught them to behold. Was anything else the teaching of the Epistles? Nay, these were the words of the Apostle (1 Cor. xi, 26), 'As often as ye eat this bread, and drink this cup, ye do show (καταγγέλλετε) the Lord's death till He come." The very arrangement showed or declared it. The body apart and the blood apart, this was death. They were told that the holy body, being glorified, was spiritualized; could be present "super-locally," after a spiritual manner," "not after the manner of a body," and so on, through all the vague phrases which meant nothing, or, at least, if they did mean anything, it was rank Monophysitism. There was not one of them but believed that, through the ineffable union of the Son of God with the man Christ Jesus, the omnipresent Deity gave them, in the act of communion, direct and saving fellowship with the glorified body now enthroned at the right hand of power. There was not one of them, trained as they were in the ancient creeds, based firmly on Holy Scripture, who did not repudiate indignantly the idea of any confusion of the Divine with the human nature, such as was involved of necessity in the notion of the objective, corporal presence of the glorified body which is in heaven, "in, with, or under" the elements of the bread and wine here on earth. It was reserved for the most vociferous defenders of the venerable Athanasian Creed to violate, and not to perceive that they violated, one of its most essential dogmas—the denial of the confusion of substance, while they asserted the unity of Person in the man. Strong words were often used by the writers of the first four centuries in regard to the presence of the Lord in the Holy Sacrament; but a careful examination of them, such as that made in the well-known but not sufficiently studied work of Waterland on the Eucharist, or the recent able treatise of Dr. Vaughan, had shown that, whether they were safely guarded or not, those words did not recognize the glorified body of the Saviour present there and eaten by his people. A great orator like Chrysostom might let his impassioned rhetoric carry him away, as he did when he spoke of the priest standing and praying over the sacrifice and all the people being reddened with the precious blood; but a cool examination would show that his system was not the modern system. He vividly depicted the body as given and the blood as shed, diffused, reddening with its saving glow the worshipers; but it was not this idea of the actual presence of the glorified body of the Saviour brought down, included in, received with, in, or under, whichever phrase was preferred, the consecrated elements. He might add, therefore, that if, in the words of institution, there was nothing setting forth the Lord's ascension and glorification, but only the Lord dying for sin, the very basis of the false systems of the last thousand years had failed; and then the vast superstructure of strange and uncouth doctrines tottered to the ground, and the deceiving mirage of hazy metaphysics vanished before the steady light of the Gospel verity. Marvelous results had been made to depend on the little word "is." "This is my body." Looking at the various shades of meaning given to that word, or to the deductions from it, by writers of the same schools, not merely by writers of different schools of theology, he presumed that it might be taken for granted that it bordered closely on spiritual mysteries, but there were certain limits within which its true meaning must lie. That which our Lord gave He said was His "body and His blood." But His blood was then conveyed along His veins by that heart-pulse which He perfectly shared with us. He could not, then, except "in a certain sense," while still living, there hold His own body in His hand, and taking the cup, separate the blood of life from His frame and infuse it into the cup. This much surely they might be bold to say, that the bread and the wine were then in the Lord's hands—they are now in the hands of His people, neither more nor less. There was no

hint in Scripture, there was no reason on the face of the facts, that the bread and the wine blessed by them could be more, and, thank God, they did not believe them to be less, than they were when the Lord blessed them. If theology were a science, nay, the queen of sciences, what could be more fatal to it than the mistaking of the due sequence of its parts, or, as Waterland expressed it, "a confused blending of ideas." This was seen when their fathers, about 200 years ago, consented to be taught by Bishop Bull that justification and sanctification were all one, and by Bishop Burnet that justification by faith was only a question of words. Did not clearness of thought and definition here involve the very essence of the Gospel? So the matter before them, whether they are fed on Christ's glorified body in the elements, or whether they had communion and mystical union with that body, "as the result, fruit, and effect of our eating His crucified body," set forth to us in His Supper, made us, whether we knew it or not, builders of theological systems as opposite as Rome and England. "To conclude," said Dr. Boultbee, "I think we are entitled to say that on the most liberal treatment we could give to the words of institution, whatever may be our individual mode of regarding the sacred presence of the Saviour's body and blood with His people in His Supper, no place is left for any mode of an objective, bodily presence of our Lord there; and that the words of our own Church represent the only conceivable mode open to our belief. The body and blood of Christ are not now severed, crucified, poured out; therefore, they can only be given, taken, and eaten after a heavenly and spiritual manner; and the means whereby the body of Christ is received and eaten is faith."

The Rev. Professor Birks pointed out that grammatically the substantive word "is" could not be taken in the sense in which it was taken by the Romanists. Whenever "is" was used in any language in connection with an object, as it was in the words of the institution of the Lord's Supper, it signified representation. As, for example, when a man said, pointing to the picture of the Cathedral of Milan, "This is the Cathedral of Milan." When the Apostle said, "This Agar is Mount Sinai," he could not have meant that Agar was physically joined to Sinai. Whenever anything was spoken of which had the nature of change or transition, such as transubstantiation or consubstantiation, a different word was required to be employed, the word "became;" and what their Lord clearly referred to was the body which was broken and the blood which was shed, and not the glorified body in heaven.

4. In concluding this publication, the author is reminded of an inquiry recently made by a High-Church friend, why he republished a late work upon "Regeneration in Baptism," designating it as "an attack upon the Church;" to which he here makes answer that in so far as Dr. Mellor attacked "the Church," the author, to the best of his ability, answered and confuted him, while in so far as he attacked and overthrew, with singular force of reasoning, dangerous errors which some members of the Church have imported into it, the author wished, as he still does, to give currency to such reasoning, hoping to subserve the Church in the interests of the Gospel against misconception, whether from without or from within; and since no refutation of said tract has thus far been attempted from either side, the author hopes it will not be without good fruit with both. No man has a higher interest than truth, and it should be a matter of comparative indifference with those who love it, whether it be helped onward by Romanist, or Protestant Churchman, or Dissenter, and we are sorry to see among some Low-Churchmen a certain timidity and suspicion, a timeo danaos toward anything not originating with themselves. Many non-Episcopalians are far from being unfriendly to the Episcopal Church, and many High-Churchmen are not only sincerely and honestly, but increasingly, opposed to Ritualism, as they discover more of its real spirit and tendency. Should any ask what we expect, or hope to accomplish by the preceding review and notes, we have a ready and distinct answer. The faith of our people in every diocese is the subject of incessant assault, boldly or insidiously, as policy may dictate, partly by the treasonable education of many of our children in Romish schools, partly by Broad Church Erastianism and indifference to doctrine, but especially by the active circulation through the press of an anti-Protestant literature which our people are not instructed to understand and reject. Our first object is, so far as in us lies, to furnish the means of a true judgment to all who are thus exposed.

A second object is to convince, if possible, some who, like the friend already alluded to, would not willingly hold anything erroneous, that the logical tendency of the views which they have adopted, not directly from God's word, but from their partial and one-sided teachers and readings, is to doctrines and practices which they abhor as honestly and as cordially as ourselves.

A third object, not perhaps of much promise, is to show the Romanizers themselves, by the truth as unanswerably established in these judgments, that their notions, however true in themselves, "Catholic" or what not, are not the doctrines of the Church of England, or taught or countenanced in the Prayer-book, and that they cannot be honestly taught by members of the Protestant Episcopal Church. The author of "Romanizing Germs" was infinitely nearer to the doctrine and spirit of the Prayer-book than themselves, but how much more honest! He did not pretend to be its representative on the points in discussion.

Some of the Ritualists have been convinced by the conduct of these questions through the English courts that their doctrines are *not* those of the Prayer-book. In consequence a considerable number have joined the Roman Catholics, others have been convinced and returned (a few from Rome itself) to the true faith. Others, we hope, are

not beyond the reach of truth. But the majority are trying to make out to themselves that they can lawfully stay where they are and continue to do as they do. But it is impossible for us to conceive how, in view of the discussions and judicial decisions of the past twenty years, these preachers of Romanism in a Protestant Church should not either secede or lower their tone.

We would even appeal to them, and ask what but infatuation can hope for any good from keeping up this demoralizing warfare with subscriptions, with history, with facts, and with conscience, as charged by Mr. Maskell, with terrible proofs, upon the leaders. Why continue to sit with such slavish docility at the feet of Dr. Pusey, and with the word of God in their hands? Why longer expose themselves to the just reproach of their former High-Church associates (but whom they have forsaken), of waiting for the next steamer, to know what next to believe, and what is to be the next novelty in worship? Nay, what can they promise themselves or their adherents from these beggarly elements whereunto they desire again to be in bondage; what victory over sin, what peace in death, what reward in heaven!